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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,032	07/08/2003	Chongyang Wang	9896-000004	3948
27572	7590	07/27/2006	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			SINGH, DALZID E	
			ART UNIT	PAPER NUMBER
			2613	
DATE MAILED: 07/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,032

Applicant(s)

WANG ET AL.

Examiner

Dalzid Singh

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 7 is/are rejected.
- 7) ☒ Claim(s) 3,5 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramaswami et al (US Patent No. 6,947,623).

Regarding claim 1, Ramaswami et al method for data-flow protection of an optical interface in data communication equipment, (see Figs. 8 and 9) comprising the steps of:

(1) receiving optical-signal carried data-flow from a source-neighboring device (Fig. 9, splitter (620) receives optical signal);

(2) duplicating the optical-signal into at least two duplicated optical-signals (the signal is split which is considered as duplicating):

a first duplicated optical-signal (shown by top arrow) and a second duplicated optical-signal (shown by bottom arrow), and sending the first duplicated optical-signal to a protected device for processing (redundant optical switch core is considered as the protected device);

(3) according to working status of the protected device, selecting one from the second duplicated optical-signal and output optical-signal of the protected device, and sending the selected one to a destination-neighboring device (see col. 9, lines 56-67 to col. 10, lines 1-11).

Regarding claim 2, wherein if working status of the protected device in step (3) is normal, then selecting optical-signal output of the protected device and sending to the destination-neighboring device; if the protected device working status in step (3) isn't normal, then selecting the second duplicated optical-signal and sending to the destination-neighboring device (see col. 9, lines 56-67 to col. 10, lines 1-11).

Regarding claim 4, Ramaswami et al disclose a data-flow protection device of an optical interface in data communication equipment (shown in Fig. 8 and 9), comprises:

a first optical-signal duplicating unit (620) and an optical-signal selecting unit (2:1 optical switch);

wherein the input of the first optical-signal duplicating unit is connected to a source-neighboring device for receiving an optical-signal (there must be source neighboring device which transmit the signal), one of the first optical-signal duplicating unit output is connected to one of the optical-signal selecting unit input, another output of the first optical-signal duplicating unit connects to input of a protected device (redundant optical switch core is considered as the protected device); wherein another input of the optical-signal selecting unit is connected to optical-signal data-flow output of the protected device, the control end of the optical-signal selecting unit is connected

with working status signal output of the protected device, the output of the optical-signal selecting unit connects to a destination-neighboring device (see col. 9, lines 56-67 to col. 10, lines 1-11).

Regarding claim 7, in Fig. 9, Ramaswami et al show that the optical-signal duplication unit is an optical splitter (620), and the optical-signal selecting unit is an optical switch (2:1 optical switch).

Allowable Subject Matter

3. Claims 3, 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Alphonsus (US Patent No. 5,594,581) is cited to show low loss optical transmission/monitoring path selection in redundant equipment terminals.

Kumozaki et al (US Patent No. 5,539,564) is cited to show point-to-multipoint optical transmission system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalzid Singh whose telephone number is (571) 272-3029. The examiner can normally be reached on Mon-Fri 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DS
July 23, 2006

Dalzid Singh